

Finding of No Significant Impact

Farmington Field Office Oil and Gas Lease Sale, December 2018

NEPA No. DOI-BLM-NM-F010-2018-0069-EA

1. Finding of No Significant Impact

Based on a review of the Environmental Assessment (EA) DOI-BLM-NM-F010-2018-0069-EA, which analyzed impacts from the December 2018 Farmington Oil and Gas Lease Sale (hereafter referred to as the “Lease Sale”), and considering the criteria for significance provided by the Council on Environmental Quality (CEQ) regulations at 40 CFR 1508.27, I have determined that leasing the eleven nominated lease parcels as analyzed in Alternative A of the Lease Sale EA (Proposed Action) and listed in the Notice of Competitive Lease Sale, does not constitute a major Federal action that will have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the vicinity of the nominated lease parcels beyond those disclosed in the Farmington Resource Management Plan and Final Environmental Impact Statement (2003) and the Visual Resource Management Resource Management Plan Amendment (2014). Therefore, an Environmental Impact Statement is not required.

This finding is based on the context and intensity of the effects of leasing as described below as well as the pending completion of Section 106 of the National Historic Preservation Act (NHPA) requirements for the nominated lease parcels.

1.1 Context

Under the Proposed Action, the Bureau of Land Management (BLM) would lease the nominated parcels involving 3,546.470 acres of BLM administered Federal minerals underlying private surface (160.000 acres) and BLM administered Federal surface (3,386.470 acres). The nominated lease parcels do not in and of themselves have international, national, regional, or state-wide importance. All nominated lease parcels fall within areas designated in the 2003 Farmington RMP as open under standard terms and conditions. Lease stipulations originating from the 2003 Farmington RMP would apply to each parcel. Lease notices and notations also provide information to prospective bidders regarding the following: 1) limitations that already exist in law, lease terms, and regulations, or operational orders; and 2) addresses special items the lessee should consider when planning operations.

1.2 Intensity

The following discussion is organized around the 10 Significance Criteria described at 40 CFR 1508.27. The following have been considered in evaluating intensity for this proposal:

1. *Impacts that may be both beneficial and adverse.*

The Lease Sale EA considered and disclosed potential beneficial and adverse effects of the No Action and Proposed Action Alternatives. There are no potential environmental effects for implementation of the alternatives in the Lease Sale EA that are considered to be significant, as defined by 40 CFR 1508.27. Potential environmental effects are disclosed in Chapter 3 of the Lease Sale EA.

The analysis of potential impacts to cultural resources and Native American religious concerns from implementation of the Proposed Action is pending due to ongoing consultation under Section 106 of the NHPA. However, cultural resources affects in areas open to leasing within the BLM FFO were analyzed in the 2003 Farmington PRMP/FEIS (pg. 3-66 to 3-88; 4-116) and 2003 Farmington RMP (pg. 2-36 to 2-38; Appendix C-1).

2. Degree of effect on public health and safety.

Leasing for oil and gas and the subsequent exploration and development is an on-going activity on public lands in the BLM Farmington Field Office (FFO). Selection of the Proposed Action would not have significant impacts on public health and safety. Public health and safety related effects are described in ELM-18 in Table 1.2 of the Lease Sale EA. Section 6 of the Standard Terms and Conditions would be attached to the nominated lease parcels and provide the BLM authority to implement measures to reduce resource impacts. In addition, controlled use stipulation F-44-CSU would be utilized to reduce impacts to nearby residences and communities relating to drilling and production activities.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The FFO does not contain any prime and unique farmlands, suitable or designated wild and scenic rivers, or designated caves. Table 1 discloses the distance of the nominated lease parcels to identified wetlands. Table 2 discloses the distance of the nominated lease parcels to National Park Service units and Congressionally designated areas. The nominated lease parcels are not located within an Area of Critical Environmental Concern or within any of the aforementioned areas.

The analysis of potential impacts to cultural resources and Native American religious concerns from implementation of the Proposed Action is pending due to ongoing consultation under Section 106 of the NHPA. However, cultural resources affects in areas open to leasing within the BLM FFO were analyzed in the 2003 Farmington PRMP/FEIS (pg. 3-66 to 3-88; 4-116) and 2003 Farmington RMP (pg. 2-36 to 2-38; Appendix C-1).

TABLE 1. DISTANCE OF THE NOMINATED LEASE PARCELS (NEAREST) FROM IDENTIFIED WETLANDS

IDENTIFIED WETLANDS	DISTANCE FROM PROPOSED ACTIVITIES (IN MILES)
Bancos	2.2
Blanco	23.7
Bloomfield	22.7
Cutter Canyon	24.9
Carrizo Oxbow	25.9
Desert Hills	21.4
Valdez	23.7

TABLE 2. DISTANCE OF THE NOMINATED LEASE PARCELS (NEAREST) FROM PARK LANDS AND ECOLOGICALLY CRITICAL AREAS

PARK LAND OR ECOLOGICALLY CRITICAL AREAS	DISTANCE FROM PROPOSED ACTIVITIES (IN MILES)
Ah-Shi-Sle-Pah Wilderness Study Area	11.8
Aztec Ruins National Monument	31.7
Bisti De-Na-Zin Wilderness Area	Parcel 113 abuts
Chaco Culture National Historical Park	4.3
Fossil Forest Research Natural Area	9.1

4. *Degree to which the possible effects on the quality of the human environment are likely to be highly controversial.*

The activities described in the Proposed Action do not involve effects on the human environment that are likely to be highly controversial. Controversy in this context means disagreement about the nature of the effects, not expressions of opposition to the Proposed Action or preference among the alternatives (BLM NEPA Handbook, 2008, page 71).

The oil and gas exploration and development that could follow leasing of the lease parcels is a common practice on public lands. The nature of the activities and the resulting impacts are understood and have been analyzed and disclosed to the public through existing BLM NEPA documents, including the 2003 PRMP/FEIS and this EA.

5. *Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risk.*

Leasing and the associated exploration and development of oil and gas resources is not unique or unusual in the San Juan Basin. The BLM has experience implementing the oil and gas program, and the environmental effects to the human environment are adequately analyzed in existing NEPA documents, including the 2003 PRMP/FEIS and this EA. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks within the nominated lease parcels.

6. *Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

A lessee's right to explore and drill for oil and gas, at some location on a lease, subject to the standard lease terms and specific lease notices and stipulations attached to the lease, is a conspicuous aspect of lease issuance. A lessee must submit to the BLM an APD identifying the specific location and plans for use of the surface and the BLM must approve an APD before any surface disturbance, including drilling, may commence on a lease parcel. The BLM's review of an APD will include site-specific environmental analysis and documentation in accordance with NEPA. A lessee may produce oil and/or gas from the lease without additional approval so long as such production is consistent with the terms of the BLM-approved APD and the lease. The EA analyzed future potential development on the nominated lease parcels as a possible outcome of leasing. The effects documented in the EA (Chapter 3) are not significant and do not represent a decision in principle about a future consideration.

The analysis of potential impacts to cultural resources and Native American religious concerns from implementation of the Proposed Action is pending due to ongoing consultation under Section 106 of the NHPA. However, cultural resources affects in areas open to leasing within the BLM FFO were analyzed in the 2003 Farmington PRMP/FEIS (pg. 3-66 to 3-88; 4-116) and 2003 Farmington RMP (pg. 2-36 to 2-38; Appendix C-1).

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

The nominated lease parcels are located in areas with pre-existing development, including oil and gas. Based on the analysis in the EA and the analysis used in the 2003 PRMP/FEIS, leasing of the nominated lease parcels would contribute to cumulative effects, however, these cumulative effects fall within the range of effects disclosed in the 2003 PRMP/FEIS. The analysis in the 2003 PRMP/FEIS considered the cumulative impact of leasing and oil and gas development in areas open to leasing.

The analysis of potential impacts to cultural resources and Native American religious concerns from implementation of the Proposed Action is pending due to ongoing consultation under Section 106 of the NHPA. However, cultural resources affects in areas open to leasing within the BLM FFO were analyzed in the 2003 Farmington PRMP/FEIS (pg. 3-66 to 3-88; 4-116) and 2003 Farmington RMP (pg. 2-36 to 2-38; Appendix C-1).

8. Degree to which the action may adversely affect district, sites, highways, structures, or objects listed on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

The analysis of potential impacts to cultural resources and Native American religious concerns from implementation of the Proposed Action is pending due to ongoing consultation under Section 106 of the NHPA. However, cultural resources affects in areas open to leasing within the BLM FFO were analyzed in the 2003 Farmington PRMP/FEIS (pg. 3-66 to 3-88; 4-116) and 2003 Farmington RMP (pg. 2-36 to 2-38; Appendix C-1).

9. Degree to which the action may adversely affect an endangered or threatened species or its critical habitat.

The Proposed Action is not likely to adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act. The nominated lease parcels do not contain any known populations or designated critical habitat as described in Section 1.4 of the Lease Sale EA.

10. Whether the action threatens a violation of Federal, state, or local environmental protection law.

Selection of the Proposed Action is not predicted to violate any known Federal, state, local or tribal law or any other requirement imposed for the protection of the environment. Potentially interested state, local, and tribal interests were given the opportunity to participate in the lease parcel review process. Leasing would be conducted in a manner that is consistent with the applicable land use plans, laws, regulations and policies, many of which are described in section 1.4 of the Lease Sale EA.

The analysis of potential impacts to cultural resources and Native American religious concerns from implementation of the Proposed Action is pending due to ongoing consultation under Section 106 of the NHPA. However, cultural resources affects in areas open to leasing within the BLM FFO were analyzed in the 2003 Farmington PRMP/FEIS (pg. 3-66 to 3-88; 4-116) and 2003 Farmington RMP (pg. 2-36 to 2-38; Appendix C-1).

2. Approval

Richard A. Fields
Field Manager, Farmington Field Office

Date

Tim Spisak
Acting New Mexico State Director

Date